

Karen B. Salmon, Ph.D. State Superintendent of Schools

BILL: House Bill 1170 **DATE:** March 3, 2021

SUBJECT: Primary and Secondary **COMMITTEE:** Ways and Means

Education - Virtual Schools -

Alterations

POSITION: Information Only

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EXPLANATION:

The Maryland State Department of Education (MSDE) is providing information for consideration regarding **House Bill (HB) 1170 – Primary and Secondary Education - Virtual Schools - Alterations**), which changes existing law to allow a local school system, the Maryland State Department of Education (MSDE), or an institution of higher education institution to establish *statewide public* virtual schools.

Under current state law, a county board of education may establish a virtual school for their county with the approval of the MSDE. These virtual schools, operated by the county board of education, become a part of the State program of education. This means that the school is subject to federal and State education laws and regulations.

HB 1170 removes virtual public schools from the State Superintendent's approval process for establishing a public school. It allows certain institutions of higher education to establish a virtual public school – an expansion of existing law, which reserves this ability for county boards of education. The virtual public schools would be required to serve any eligible child in the State, regardless of their county of residence, and exempts virtual public schools from State regulations governing:

- Length of time required for learning opportunities per academic year;
- Attendance;
- Curriculum;
- Class size:
- Instruction;
- Staffing Ratios;
- Professional Development; and
- Textbooks.

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HB 1170 removes the virtual public schools from State Board regulations, including the oversight and accountability required of the State under federal law, such as the Every Student Succeeds Act (ESSA). ESSA requires the MSDE to adopt challenging state academic standards; annual academic assessments; and accountability requirements on a number of indicators, including student attendance and class sizes. Removing the requirement that virtual schools follow State regulations surrounding ESSA would eliminate compliance with federal law.

We respectfully request that you consider this information as you deliberate **HB1170**. For further information, please contact Zachary Hands, at 410-767-0504, or <u>Zachary.hands1@maryland.gov</u>.